

REMARKS/ARGUMENTS

In the Claims

Claims 1-9, 13-25 and 29-53 remain in this application. Claims 10-12 and 26-28 were canceled in a previous letter, and claims 35-53 have been withdrawn as the result of an earlier restriction requirement.

The Examiner has rejected claims 1-9, 13-25 and 29-34 under 35 U.S.C 103(a) citing WO 02/060702 A2 separately and in combination with, Jellinek et al. (US 4,810,751), Wang et al.(US 5,935,880) and GB2 292 082.

§ 103(a) Rejections

The Examiner has rejected claims 1, 2, 4, 6-9, 13-15, 17-19, 21, 23-31, 33 and 35 under 35 U.S.C. 103(a) as being unpatentable over WO 02/060702 A2 in view of Jellinek et al. Claims 3, 5, 20 and 22 have been rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/060702 A2 in view of Jellinek et al. in further view of U.S. Patent No. 5,935,880 to Wang et al. Claims 16 and 32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/060702 A2 in view of Jellinek et al. in further view of GB 2 292 082 A. The Examiner's rejections are respectfully traversed.

The Examiner has stated that, "...It is the Examiner's position that because the WO reference teaches the production of decorative laminates, this would have suggested application of the dyes and pigments in any suitable and aesthetically desirable fashion and doing so would have been obvious to one of ordinary skill in the art. There is no evidence of record that the binder applicator taught by the WO document requires 100% coverage."

The Applicant asserts that WO 2002/060702 does not teach the application of the dyes and pigments in any suitable and aesthetically desirable fashion to non-woven fabric. WO 2002/060702 teaches production of a decorative laminate including a decorative layer and

various combinations of overlay, underlay and substrate layers. Each of the layers is formed separately and rolls of the various layers are mounted on the laminating machine, as is clearly shown in Figure 3.

Non-woven fabrics are only mentioned in the context of the overlay, underlay, and substrate layers of the laminate, which are not for decoration as taught on page 11, lines 13-15 by stating,

“...The underlay, overlay, and/or substrate can be formed from a reinforced polymer layer. A preferred reinforced polymer layer is a non-woven, fibrous, fully or partially dispersed wet laid fiber glass/polyvinyl chloride (PVC) compound formed into a mat...” (emphasis added)

The inclusion of non-woven fabric with regard to the decorative layer is noticeably absent from WO 2002/060702 as reflected in the summary of the invention on page 1 (no lines numbers are given) that states,

“...In accordance with these needs, the first part of the invention describes a decorative laminate comprising:
a) an optional overlay comprised of a reinforced polymeric layer formed by preparing a non-woven, fibrous, fully dispersed, wet-laid compound...,
b) a decorative layer,
c) an optional underlay optionally comprising additives, such as colorants, formed by preparing a non-woven, fibrous, fully or non-fully dispersed, wet-laid compound...”

With regard to adding color to the overlay and underlay, WO 2002/060702 teaches the overlay needs to be transparent, as stated on page 6, lines 29-31,

“...the overlay should preferably be transparent so that the image of the decorative layer will transmit as intended.”

and the underlay and substrate are essentially covered from view. Any pigment added to the underlay or substrate is only to prevent any color conflict to be seen below the decorative layer as stated on page 9, lines 24-26,

“...Clarity is not essential in the underlayer, so long as there is no undesired transmittance through the decorative layer.”

Therefore, one of ordinary skill in the art would be expected to understand the term “added” as used on page 19, lines 15-17,

“...For example, a colorant, such as a dye or pigment, in addition to be optionally added in the white-water, can be added in a separate step, for example, above 7 by use of an applicator, such as a binder applicator. ...”
(emphasis added)

to refer substantially to the addition of a colorant to the entirety of the underlay material in the case of the white-water and the entirety (i.e. 100% coverage) of the of the surface of the underlay in the case of a separate step.

The Applicant respectfully points out that the only reference made to decorative printing in WO 2002/060702 is with regard to the “Decorative Layer,” which is described in detail on pages 3 and 4. WO 2002/060702 clearly teaches on page 3, lines 21-24,

“...Any decorative layer or layers known in the art can be used in the laminates of the invention. Examples include decorative printed-paper or parchment, printed polymeric films (such as printed PVC or acrylic), wood veneers, reconstituted wood veneer, or the like.” (emphasis added)

This description refers to the decorative layer only, which is not a non-woven fabric, nor is there any hint or suggestion that a non-woven fabric would be suitable for this layer.

Therefore, the teachings of WO 2002/060702 provide no motivation to apply dyes and pigments in a suitable and aesthetically desirable fashion using printing rolls to non-woven fabric, nor is there hint or suggestion that such application could be implemented as an in-line process of the production of the non-woven fabric.

The Applicant respectfully asserts that the Examiner is suggesting an embodiment that is not described by WO 2002/060702. To the contrary, the specific provision of a decorative layer distinct from the non-woven overlay and underlay teaches away from the present invention by suggesting that the decorative layer should not be a non-woven layer formed inline.

With regard to the suggested combination of WO 2002/060702 with Jellinek, the Applicant asserts that since, as stated above, the teachings of WO 2002/060702 provide no motivation to apply dyes and pigments in a suitable and aesthetically desirable fashion to the non-woven fabric, and certainly not during as part of the line-in production process of the non-woven fabric, there would be not motivation to combine the teachings of Jellinek with those of WO 2002/060702 regarding the use of a rotary screen printer (Jellinek) to apply a decorative layer to non-woven fabric as an inline process in the production line producing the non-woven fabric (WO 2002/060702).

This is in contrast to the teachings of the present invention, which clearly teaches applying the finishing agent to less than 100% of a surface area of a non-woven fabric using a rotary screen printer, while the moisture content of the non-woven fabric is greater than 10% by weight as an in-line process on the production line that is producing the non-woven fabric.

The Applicant believes that the above comments completely overcome the Examiner's rejections of claim 1 and 19 on § 103(a) grounds, thereby rendering the rejections of claims 2-9, 13-18, 20-25 and 29-34 moot since they are now shown to depend from allowable independent claims.

In view of the above remarks it is respectfully submitted that independent claims 1 and 19 and hence dependent claims 2-9, 13-18, 20-25 and 29-34, are indeed in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,
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By  _____

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